

AN ACT

RELATING TO HIGHER EDUCATION; ENACTING THE WORKFORCE TRAINING ACT;
CREATING THE WORKFORCE TRAINING PROGRAM; PROVIDING FOR
CUSTOMIZED TRAINING AT COMMUNITY COLLEGES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. SHORT TITLE.--This act may be cited as the "Workforce Training Act".

Section 2. PURPOSES.--The purposes of the Workforce Training Act are to:

- A. provide funding for non-credit customized training at community colleges;
- B. establish the workforce training program to deliver customized training for members of the workforce who require specialized training to obtain or advance in employment with small and large businesses in New Mexico;
- C. provide a statewide program of customized training that supplements the state's workforce development efforts and offers opportunities for state residents to obtain skills needed to provide a well-trained workforce for employers in New Mexico; and
- D. enable community colleges to better respond to the needs of their communities and to participate in attracting, retaining and recruiting employers that can provide employment for trained workers in the community.

Section 3. DEFINITIONS.--As used in the Workforce Training Act:

- A. "commission" means the commission on higher education;

B. "community college" means a public post-secondary educational institution located in New Mexico offering technical or vocational training or two-year degrees;

C. "customized training" means vocational or technical training:

(1) offered by a community college;

(2) that provides specialized employee training for a particular business or industry;

(3) for which a student who successfully completes the training does not receive college credit; and

(4) that enhances workforce development in the state;

D. "tier-2 undergraduate funding level" means tier 2 of the higher education funding formula developed by the commission; and

E. "workforce training program" means the program created by the Workforce Training Act to provide customized training at community colleges in New Mexico.

Section 4. DISTRIBUTION OF FUNDS.--

A. Beginning in the budget cycle following the effective date of the Workforce Training Act, the commission shall include in its annual budget an amount calculated to be necessary to implement a workforce training program in the state.

B. During the first year of funding, a base number of students shall be projected by the commission for each community college offering customized training pursuant to the Workforce Training Act after consultation with each community college.

To determine the funding to be distributed to each community college, the total appropriation made by the legislature to implement that act shall be multiplied by a

fraction, the numerator of which is the projected number of student credit hours in customized training at the community college receiving the funding and the denominator of which is the total projected number of student credit hours in customized training at all of the community colleges participating in the workforce training program.

C. Following the first year of implementation of the Workforce Training Act, the commission shall determine the number of students enrolled in customized training at each community college in the state according to the most recent year for which data is available.

D. Using a predetermined credit-hour equivalent of courses normally considered under the tier-2 undergraduate funding level, the amount to be budgeted for the program shall be developed and included in the commission budget for each subsequent fiscal year.

E. Beginning in the second year of implementation of the Workforce Training Act, the funding to be distributed to each community college shall be determined by multiplying the total appropriation made by the legislature to implement the Workforce Training Act by a fraction, the numerator of which is the number of student credit hours in customized training at that community college in the prior year and the denominator of which is the total number of student credit hours in customized training in the prior year at all of the community colleges participating in the workforce training program.

F. A community college that previously was not included in the distribution but seeks to participate in the workforce training program for the first time shall negotiate with the commission to establish the base level of funding for the

community college based on the projected number of students expected to enroll in customized training and shall be added to the formula to determine the budget expansion to be requested.

Section 5. ELIGIBLE FUNDING RECIPIENTS.--

A. To be eligible to receive funding pursuant to the Workforce Training Act, a community college shall provide customized training for at least one business each year.

B. To remain eligible to receive funding to participate in the workforce training program following the first year in which customized training is offered, a community college shall:

(1) increase the number of businesses receiving customized training in each succeeding year by at least one business that did not receive customized training in the prior year; or

(2) increase the total number of employees enrolled in customized training for each succeeding year.

C. To qualify as a business that may participate in the customized training opportunities offered at a community college:

(1) a business shall be located in New Mexico;

(2) may be either a new or an established business;

(3) shall provide full-time job opportunities for the successful participants of the workforce training program; and

(4) shall pay more than minimum wage to successful participants of the workforce training program.

HEC/HB 160

Page 5